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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 16 2004

Appl. No. : 10/024,679 Confirmation No. 2932
Applicants : Alfred E. Keller
Filed : December 18, 2001
For : Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur
From An H₂S-Containing Gas Stream

TC/A.U. : 1754
Examiner : Wayne C. Langel

OFFICIALCustomer No.: 35181
Atty. Dkt. No.: 1856-09301
Date: July 16, 2004

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION DATED APRIL 16, 2004

Sir:

In response to the Office Action of April 16, 2004, Applicants submit the three (3) enclosed Terminal Disclaimers. Applicants respectfully request reconsideration of this application in light of the submission of these Terminal Disclaimers. This is believed to be a full and complete response to each and every ground of rejection and objection raised in the Office Action. If Applicants have incompletely addressed any item, an opportunity to supplement this Response is respectfully requested. If a telephone conference would be helpful in advancing prosecution of this case, the Examiner is invited to telephone the undersigned representative. Should any fees have been inadvertently omitted, or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Deposit Account Number 03-2769 of Conley Rose, P.C., Houston, Texas, and consider this a petition for any necessary extension of time.

Respectfully submitted,

Carol G. Mintz
Carol G. Mintz
PTO Reg. No. 38,561
Conley Rose, P.C.
P.O. Box 3267
Houston, Texas 77253-3267
Tel 713-238-8000
Fax 713-238-8008
AGENT FOR APPLICANT

(MODIFIED) PTO/SB/26 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT		Docket Number (Optional)
		1856-09301
In re Application of:	Alfred E. KELLER	
Application No.	10/024,679	
Filed:	December 18, 2001	
For:	Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur From An H ₂ S-Containing Gas Stream	
<p>The owner, <u>ConocoPhillips Company</u>, of 100 percent interest in the instant application disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,579,510. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p>		
<p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p>		
Check either box 1 or 2 below, if appropriate.		
<p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>		
<p>2. <input checked="" type="checkbox"/> The undersigned is an attorney/agent of record.</p>		
DATE:	<u>July 16, 2004</u>	
 SIGNATURE OF AGENT Carol G. Mintz Reg. No. 38,561 CONLEY ROSE, P.C. P.O. Box 3267 Houston, Texas 77253-3267 Phone: (713) 238-8000 Fax: (713) 238-8008		
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.		

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents,

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION		Docket Number (Optional) 1856-09301
In re Application of:	Alfred E. KELLER	
Application No.	10/024,679	
Filed:	December 18, 2001	
For:	Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur From An H ₂ S-Containing Gas Stream	
<p>The owner, <u>ConocoPhillips Company</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>10/024,167</u>, filed on <u>December 18, 2001</u>, or any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and § 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p>		
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DATE:	<u>July 16, 2004</u>	
<p><u>Carol G. Mintz</u></p> <p>SIGNATURE OF AGENT Carol G. Mintz Reg. No. 38,561 CONLEY ROSE, P.C. P.O. Box 3267 Houston, Texas 77253-3267 Phone: (713) 238-8000 Fax: (713) 238-8008</p>		
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(MODIFIED) PTO/SB/25 (08-03)

Approved for use through 07-31-2006 OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: ConocoPhillips CompanyApplication No./Patent No.: 10/024,679 Filed/Issue Date: December 18, 2001Entitled: Short Contact Time Catalytic Partial Oxidation Process for Recovering Sulfur from an H₂S-containing Gas StreamConocoPhillips Company, a Delaware corporation

(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or2. an assignee of an undivided part interest.The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.***OR***B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: Keller, Alfred E. et al. To: Conoco Inc.The document was recorded in the United States Patent and Trademark Office at Reel 012846, Frame 0673, or for which a copy thereof is attached.2. From: Conoco Inc. To: ConocoPhillips CompanyThe document was recorded in the United States Patent and Trademark Office at Reel N/A, Frame N/A, or for which a copy thereof is attached.3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 16, 2004

Date

(713)-238-8000

Telephone number

Carol G. Mintz

Typed or printed name

Carol G. Mintz

Signature

Agent for Applicant/Assignee

Title

This collection of information is required by 37 CFR 1.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Delaware

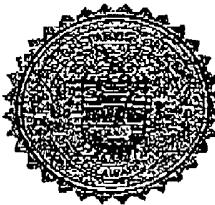
PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CONOCO INC.", A DELAWARE CORPORATION,
WITH AND INTO "CONOCOPHILLIPS COMPANY" UNDER THE NAME OF
"CONOCOPHILLIPS COMPANY", A CORPORATION ORGANIZED AND EXISTING
UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED
IN THIS OFFICE THE TWELFTH DAY OF DECEMBER, A.D. 2002, AT 1:44
O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF
THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF
DECEMBER, A.D. 2002, AT 11:59 O'CLOCK P.M.



0064324 8100M

030002793

Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 2183372

DATE: 01-02-03

FROM RLAF#1

STATE OF DELAWARE
 DIVISION OF CORPORATIONS
 FILED 01:44 PM 12/12/2002
 020763253 - 0064324

CERTIFICATE OF MERGER**of**

Conoco Inc.
 (a Delaware corporation)

with and into

ConocoPhillips Company
 (a Delaware corporation)

Phillips Petroleum Company, a Delaware corporation to be renamed ConocoPhillips Company prior to the effective time of this certificate of merger (the "Surviving Corporation"), in compliance with the requirements of the General Corporation Law of the State of Delaware (the "DGCL") and desiring to effect a merger of Conoco Inc., a Delaware corporation formerly incorporated under the name Du Pont Holdings, Inc. (the "Merger Corporation," and together with the Surviving Corporation, the "Constituent Corporations"), with and into the Surviving Corporation, and acting by its duly authorized officer, DOES HEREBY CERTIFY that:

First: As of the date hereof, the name and state of incorporation of each of the Constituent Corporations of the merger are as follows:

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
PHILLIPS PETROLEUM COMPANY	Delaware
CONOCO INC.	Delaware

Second: An agreement and plan of merger has been approved, adopted, certified, executed and acknowledged by each of the Constituent Corporations in accordance with the requirements of Section 251 of the DGCL;

Third: The name of the Surviving Corporation will be ConocoPhillips Company;

Fourth: The Certificate of Incorporation of ConocoPhillips Company immediately prior to the merger shall be the Certificate of Incorporation of the Surviving Corporation until such time as it may be amended in accordance with applicable law and the provisions thereof;

Fifth: The executed agreement and plan of merger is on file at an office of the Surviving Corporation, the address of which is 600 North Dairy Ashford, Houston, Texas 77079;

FROM RL&F#1

(THU) 12.12' 02.13:35/ST. 13:31/NO. 4864756279 P 17

Sixth: A copy of the agreement and plan of merger will be furnished by the Surviving Corporation, on request and without cost, to any stockholder of any Constituent Corporation; and

Seventh: Pursuant to Section 103(d) of the DGCL, this certificate of merger will become effective at 11:59 p.m., Eastern time, on December 31, 2002.

Dated: December 12, 2002

PHILLIPS PETROLEUM COMPANY
(a Delaware corporation)

By: 
Name: Rick A. Harrington
Title: Senior Vice President, Legal,
and General Counsel

4864756279